

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application. Claims 13-20 are added by this amendment.

Claims 1, 3, 6 and 7 are amended for non-statutory reasons, to correct one or more informalities, remove figure label number(s), and/or replace European claim phraseology and/or spelling with U.S. claim language and/or spelling having the same meaning. The claims are not narrowed in scope. No new matter is added.

Applicant(s) thank(s) the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

Applicant(s) thank(s) the Examiner for indicating that claim 11 is allowable if amended to be in independent form including all the limitations of the base claim. In accordance with the Examiner's indication, claim 11 is amended herein to be in independent form. An indication to the allowance of claim 11 is respectfully requested.

The Office action acknowledges Applicant's election with traverse of Species I, however the Office Action takes a position that the Applicant's arguments are not persuasive because, it is alleged, that the argument provided is "merely an allegation and not evidence" and that "Applicant has not shown how they are related and how the search for one would encompass a search for the others." (See, Office Action, page 2, lines 7-9.) Accordingly, the restriction requirement is made final in the present Office Action.

Applicant's traversal is respectfully maintained and is based at least on the fact that the embodiment or embodiments shown in the various figures identified as different species by the Office action, regardless of whether or not they should be considered separate inventions, are so closely related that the search and examination of the entire application can be made without serious burden. In fact, due to the nature and relationship of the claim elements of claims 3 and 9, and pending claims 1, 2, 4-8, 10-20, a search of the pending claims will likely encompass prior art related to claims 3 and 9. It is noted that even if this restriction requirement is maintained, upon allowance of a claim generic to both of claims 3 and 9, namely claim 1 as currently presented, claims 3 and 9 may be rejoined to the allowed generic claim.

Claims 1, 2, 4-8 and 12 are rejected under 35 U.S. C. §102(e) by U.S. Patent No 6,830,339 to Maximus ("Maximus"). Claim 10 is rejected under 35 U.S. C. §103(a) by Maximus in view of U.S. Patent Publication No. 2003/0016334 to Weber ("Weber").

Maximus shows a light pipe 2 (see, FIGs. 1, 8 and the accompanying description contained in Col. 5, line 55 to Col. 6, line 4; and Col. 8, lines 53-65) that utilizes a PBS 42 that allows p-polarized light to pass through the PBS 42 and that reflects s-polarized light to a secondary mirror 44 for reflection back to an entrance of the device. It is noted that the secondary mirror 44 does not change a polarization of the reflected (s-polarized) light, otherwise the reflected light would pass through the PBS 42 on the return path and would not be reflected to the entrance.

It is respectfully submitted that Maximus does not disclose or suggest "a polarization-selective mirror for transmitting a first polarization component of said light and reflecting a second polarization component, a display panel having a dichroic filter means for filtering color components of said transmitted first polarization component and a controllable reflection means for changing the state of polarization of said color components depending on a control signal and for reflecting said filtered color components back to said polarization-selective mirror, and a projection means for projecting the image, wherein said polarization-selective mirror is adapted to reflect light of a changed state of polarization to said projection means and to transmit light of an unchanged state of polarization back to said illumination means" as required by claim 1.

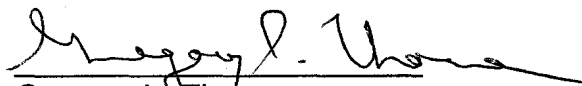
The Office Action takes the position that the PBS 42 and supplementary mirror 44 meet these requirements because "PBS 42 transmits P polarized light and reflects S polarized light beams", however reliance on this embodiment of Maximus is misplaced as pointed out in detail above (particularly, see, Maximus, Col. 8, lines 57-65).

Further, Maximus does not disclose or suggest "a display panel comprising: a dichroic filter arranged to filter color components of said transmitted first polarization component, and a controllable reflector arranged to change the state of polarization of said color components depending on a control signal and to reflect said filtered color components back to said polarization-selective mirror, and a projector arranged to project the image, wherein said polarization-selective mirror is adapted to reflect

light of a changed state of polarization to said projection means and to transmit light of an unchanged state of polarization back to said side" as required by claim 15.

Weber is cited in rejecting dependent claims and does not cure the deficiencies in Maximus. Based on the foregoing, the Applicant respectfully submits that independent Claims 1 and 15 are allowable over Maximus and an indication to that effect is respectfully requested. Claims 2-10, 12-14 and 16-20 respectively depend from one of Claims 1 and 15 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.

Respectfully submitted,



Gregory L. Thorne
Reg. 39,398
Att'y for Applicant(s)

THORNE & HALAJIAN, LLP

Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Phone: (631) 665-5139
Fax: (631) 665-5101